Please amend the application as follows:

IN THE CLAIMS:

Please amend the claims 1, 8, 9, 12, 13 and 16 as follows:

1. (Amended) A method of modulating an apoptosis-inhibiting effect in a target cell or tissue of a mutant EGFR ~~gene,~~ comprising administering to the cell or tissue an [effective] amount of a tyrosine kinase inhibitor that is effective to reduce the resistance to the induction of apoptosis or resistance to the increased rate of apoptosis in the target cell or tissue in combination with a therapy that is effective to induce apoptosis or to increase the rate of apoptosis in the cell or tissue.

8. (Amended) The method of claim 1, wherein the tyrosine kinase inhibitor is selected from the group consisting of Tyrphostin AG1478 and its derivatives, wherein said derivatives have lower toxicity, better selectivity for ΔEGFR or greater bioavailability than AG1478.

9. (Amended) A pharmaceutical composition comprising a mixture of:

(A) an amount of an agent that is effective to induce apoptosis or increase the rate of apoptosis in a target cell or tissue; and

(B) an amount of a tyrosine kinase inhibitor that is effective to reduce [the] resistance to [the] induction of apoptosis or resistance to an [the] increased rate of apoptosis in the target cell or tissue expressing a mutant EGFR gene, the resistance being mediated by a mutant EGFR.

12. (Amended) The composition of claim 9, wherein the tyrosine kinase inhibitor is selected from the group consisting of Tyrphostin AG1478 and its derivatives, wherein said

derivatives have lower toxicity, better selectivity for ΔEGFR or greater bioavailability than AG1478.

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13. (Amended) A kit for treating cancer comprising

(A) an amount of an agent that is effective to induce apoptosis or increase the rate of apoptosis in a target cell or tissue; and

(B) an amount of a tyrosine kinase inhibitor that is effective to reduce [the] resistance to [the] induction of apoptosis or resistance to an [the] increased rate of apoptosis in the target cell or tissue expressing a mutant EGFR gene, the resistance being mediated by a mutant EGFR.

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16. (Amended) The kit of claim 13, wherein the tyrosine kinase inhibitor is selected from the group consisting of Tyrphostin AG1478 and its derivatives, wherein said derivatives have lower toxicity, better selectivity for ΔEGFR or greater bioavailability than AG1478.

REMARKS

I. Status of the Claims and/or Amendments.

Claims 1-16 are pending in this case and have been examined.

Claims 8-16 were rejected under 35 USC § 112, second paragraph.

Claims 1-16 were rejected under 35 USC § 103.

II. No New Matter Added by Claim Amendments.

The amendment to claim 1 more clearly articulates Applicants' invention. Written support for the amendment may be found throughout the instant application and more particularly, at page 8, line 26 to page 9, line 16 and page 12, lines 16-29. Thus, the amendment to claim 1 presents no prohibited new matter.